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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

11 SHANEICE WILLIAMS, ) Case No.: 2:23-CV-02906-AC  
12 Plaintiff, )  
13 )  
14 v. )  
15 )  
16 EXPERIAN INFORMATION )  
17 SOLUTIONS, INC.; EQUIFAX )  
18 INFORMATION SERVICES, LLC; )  
19 TRANS UNION LLC; CELLCO )  
20 PARTNERSHIP d/b/a VERIZON )  
21 WIRELESS; SOUTH STATE BANK, )  
22 N.A. f/k/a ATLANTIC CAPITAL )  
23 BANK, N.A.; and DOES 1 through 10, )  
inclusive, )  
Defendants. )

## 1. Service of process on parties not yet served

Plaintiff served all Defendants

## 2. Jurisdiction and venue

Jurisdiction of this Court arises under 15 U.S.C. §1692k(d) and 28 U.S.C. §1331.

<sup>28</sup> Supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. §1337. Venue

1 in this District is proper in that the Defendants transact business here and the conduct  
2 complained of occurred here.

3 **3. Whether the action is required to be heard by a District Court composed of three  
4 Judges, see L.R. 203, or whether the action draws in issue the constitutionality of a  
5 statute or regulation under circumstances requiring notice as set forth in 28 U.S.C. §  
6 2403, Fed. R. Civ. P. 5.1 or L.R. 132**

7 Not applicable

8 **4. A Statement as to the Possible Joinder of Additional Parties and Amendment**

9 The parties do not anticipate joining any additional parties. The parties do not  
10 anticipate amending the pleadings.

11 **5. The formulation and simplification of the issues, including elimination of  
12 frivolous claims and defenses**

13 Not applicable

14 **6. The appropriateness of any variance from the usual filing and service  
15 requirements applicable to the action**

16 None from the usual. The parties agree to electronic service. The parties agree that  
17 discovery should be produced in an accessible, secure, and convenient manner. Defendants  
18 and Plaintiff agree that they will discuss production of ESI if and when discovery of ESI is  
19 triggered.

20 The parties agree that pursuant to Rule 5(b)(2)(E) and 6(d) of the Federal Rules of  
21 Civil Procedure any pleadings or other papers may be served by sending such documents by  
22 email to the primary and/or secondary email addresses for all counsel of record. The format  
23 to be used for attachments to any email message shall be Microsoft Word (.doc) or Adobe  
24 Acrobat (.pdf). If an error or delayed delivery message is received by the sending party, that  
25 party shall promptly (within one business day of receipt of such message) notify the intended  
26 recipient of the message and serve the pleading or other papers by other authorized means.  
27 Hard copies of all electronically served documents will be made available to any party upon  
28 request.

1   **7. The disposition of pending motions, the timing of a motion for class  
2 certification, see L.R. 205, the appropriateness and timing of summary adjudication  
3 under Fed. R. Civ. P. 56, and other anticipated motions**

4           There are no pending motions, although South State Bank, N.A. fka Atlantic Capital  
5 Bank, N.A. has not filed a responsive pleading yet and is contemplating a Motion to Strike re  
6 punitive damages. The parties reserve their right to file motions for summary judgment after  
7 the close of discovery.

8           Experian does not anticipate filing a motion to add additional parties, amend its  
9 pleadings, dismiss for a lack of jurisdiction, or to transfer venue, but it reserves the right to  
10 do so. Experian also reserves the right to file dispositive motions.

11   **8. Propriety of initial disclosures as contemplated by Fed. R. Civ. P. 26(a)(1); results  
12 of the initial discovery conference; anticipated or outstanding discovery,  
13 including the necessity for relief from discovery limits; and the control and scheduling  
14 of discovery, including deferral of discovery whether to hold further discovery  
15 conferences, and other orders affecting discovery pursuant to Fed. R. Civ. P. 26 and 29  
16 through 37**

17           The parties anticipate serving their initial disclosures within two weeks of the filing of  
18 the joint report. The parties anticipate taking party depositions and written discovery. The  
19 parties do not request relief from discovery limits and request no special instructions  
20 regarding scheduling of discovery. The parties anticipate production of confidential, trade  
21 secret, and/or commercially sensitive information during the pendency of this action. The  
22 parties anticipate submitting a stipulated protective order to aid in the discovery process.

23   **9. The avoidance of unnecessary proof and of cumulative evidence, and limitations  
24 or restrictions on the use of testimony under Fed. R. Evid. 702;**

25           Not applicable

26           //

27           //

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1 **10. The possibility of obtaining admissions of fact and of documents that will avoid  
2 unnecessary proof, stipulations regarding the authenticity of documents, and advance  
3 rulings from the Court on the admissibility of evidence**

4 Not applicable at this time.

5 **11. Further proceedings, including setting dates for further conferences, for the  
6 completion of motions and discovery and for pretrial and trial; the appropriateness of  
7 an order adopting a plan for disclosure of experts under Fed. R. Civ. P. 26(a)(2), Cal.  
8 Civ. Proc. Code § 2034.210 et seq., or an alternative plan; and the appropriateness of an  
9 order establishing a reasonable limit on the time allowed for presenting evidence**

10 The parties request a fact discovery cut-off of November 30, 2024. The parties request  
11 an expert discovery cut-off of December 31, 2024. The parties request that dispositive  
12 motions be filed by January 31, 2025. The parties request a pretrial conference date of March  
13 3, 2025 and trial date of April 7, 2025. The parties are also agreeable to the Court entering a  
14 scheduling order without the need for a hearing. A party will file a motion requesting  
15 additional conference dates if those become necessary.

16 **12. Modification of the standard pretrial procedures specified by these Rules because  
17 of the relative simplicity or complexity of the action**

18 Not applicable

19 **13. The appropriateness of an order for a separate trial pursuant to Fed.R. Civ. P.  
20 42(b) with respect to a claim, counterclaim, cross-claim, or third-party claim, or  
21 affirmative defense, or with respect to any particular issue in the action**

22 Not applicable at this time.

23 **14. The appropriateness of an order directing a party or parties to present evidence  
24 early in the trial with respect to a manageable issue that could, on the evidence, be the  
25 basis for a judgment as a matter of law under Fed. R. Civ. P. 50(a) or a judgment on  
26 partial findings under Fed. R. Civ. P. 52(c)**

27 Not applicable at this time.

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1 **15. Appropriateness of special procedures such as reference to a special master or**  
2 **Magistrate Judge or the Judicial Panel on Multidistrict Litigation, or application**  
3 **of the Manual for Complex Litigation**

4 Not applicable

5 **16. The prospects for settlement and the use of special procedures to**  
6 **assist in resolving the dispute when authorized by statute or these Rules, provided,**  
7 **however, that counsel shall not, in the absence of a written stipulation, reveal any offers**  
8 **made or rejected during settlement negotiations, and counsel shall specify whether they**  
9 **will stipulate to the trial Judge acting as settlement judge and waive any disqualification**  
10 **by virtue thereof**

11 The parties will negotiate in good faith to resolve this matter and are open to utilize  
12 Alternative Dispute Resolution.

13 **17. The appropriateness of alternate dispute resolution, such as this District's**  
14 **Voluntary Dispute Resolution Program (VDRP), or any other alternative dispute**  
15 **resolution procedure**

16 The parties request a Mandatory Settlement Conference a week after the close of fact  
17 discovery. Should the need arise for an early settlement conference, a party will communicate  
18 with the Court to request one.

19 **18. Any other matters that may facilitate the just, speedy and inexpensive**  
20 **determination of the action**

21 Not all parties agree to a magistrate judge presiding over the case

22  
23 DATED: February 23, 2024

s/ Jeremy S. Golden

24 Jeremy S. Golden  
25 Attorney for Plaintiff

26  
27 DATED: February 23, 2024

s/ Amy Lopez

28 Amy Lopez  
Attorney for Defendant Experian Information  
Solutions, Inc.

1  
2 DATED: February 23, 2024  
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s/ Alice Hodsden

Alice Hodsden  
Attorney for Defendant Equifax Information Services,  
LLC

8 DATED: February 23, 2024  
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s/ Kyle Pietrzak

Kyle Pietrzak  
Attorney for Defendant Trans Union, LLC

11 DATED: February 23, 2024  
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s/ Pavel Ekmekchyan

Pavel Ekmekchyan  
Attorney for Defendant Cellco Partnership d/b/a  
Verizon Wireless

16 DATED: February 23, 2024  
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18  
19

s/ Joan C. Spaeder-Younkin

Joan C. Spaeder-Younkin  
Attorney for Defendant South State Bank, N.A. f/k/a  
Atlantic Capital Bank, N.A.